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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

OLIVER DRAGIC,

Defendant.

INDICTMENT

CASE NO.

1:16-cr-00277
Title 18, Sections 1425(a) and (b),
1546(a), United States Code

JUDGE POLSTER

General Allegations

At all times relevant to this Indictment, unless otherwise specified:

1. From in or about 1992 to 1995, the Republika Srpska (RS), a state unrecognized by the international community, attempted to create an ethnically pure Serbian nation within the ethnically-mixed territory of the Yugoslav Republic of Bosnia-Herzegovina.

2. RS engaged in violent conflict against the internationally recognized Bosnian government as well as citizens of Bosnian Muslim and Bosnian Croatian ethnicity to reach this goal. RS military and security forces engaged in documented ethnic cleansing, war crimes, and other human rights violations, including the July 1995 Srebrenica genocide.

3. During this violent conflict, RS took control of a significant amount of Bosnian territory. While RS controlled this territory, it installed provisional governments and security

forces to help maintain its rule over the region. The police forces in RS were under the control of its Ministry of Internal Affairs and included the Special Police Units known as the PJP, militarized police formations that joined RS's Army during military operations.

4. In or about 1994, after completing police training in Serbia, Defendant OLIVER DRAGIC returned to Bosnia and became a member of the PJP 3rd Company stationed at Zvornik, a city in the eastern part of Bosnia. Service in the PJP was voluntary.

5. In or about July 1995, RS forces committed the Srebrenica massacre, an act of genocide. RS forces massacred an estimated 8,300 people at Srebrenica and forcibly expelled over 30,000 women, children, and elderly.

6. During that time, RS deployed DRAGIC along with his PJP unit to the wilderness area around Srebrenica for combat duty. While there, the PJP performed sweeping operations to find survivors of the Srebrenica massacre and prevent their escape. After DRAGIC's actions at Srebrenica, RS supervisors recommended that he attend an officer training academy. He later attended that academy.

7. In or about May 1998, DRAGIC applied for refugee status to the United States, claiming that he was a victim of the Bosnian War. DRAGIC continued to serve in the RS police during this time, only ending his service as an officer in November 1998.

8. In his refugee application, DRAGIC made numerous material false statements and omissions. On Form G-325C (Supplemental Questionnaire for Refugee Applicants), DRAGIC falsely stated, "UNEMPLOYED, NEVER WORKED" for his employment, rather than admitting his service in the RS Police and the PJP. On Form I-590 (Registration for Classification as Refugee), DRAGIC falsely stated that he fled Bosnia as a refugee on May 19, 1992 and remained outside that country, when he in fact returned to and resided in Bosnia after completing

police school in 1994 and voluntarily joining the RS Police. On Form G-646 (Sworn Statement of Refugee Applying for Admission into the United States), DRAGIC likewise fraudulently affirmed that he was not attempting to procure a visa by fraud or misrepresentation. These fraudulent statements concealed material facts that directly affected the adjudication of DRAGIC's refugee application. Further, the omissions and fraudulent information prevented an inquiry into whether DRAGIC was ineligible for refugee status. DRAGIC'S entrance into the United States through fraud was a necessary prerequisite to him fraudulently obtaining his permanent resident status.

9. Upon being granted refugee status based on fraud and entering the United States, DRAGIC applied for and received his permanent residence status in 2001 by fraudulently misrepresenting material facts. In his Form I-485 permanent resident application, DRAGIC fraudulently denied involvement in crimes of moral turpitude. He also fraudulently denied involvement in genocide or otherwise ordering, inciting, assisting or otherwise participating in the killing of any person because of race, religion, nationality, ethnic origin, or political opinion. He additionally misrepresented the actual dates he voluntarily departed from Bosnia. DRAGIC likewise fraudulently affirmed that he had not procured or sought to procure a visa, other documentation, and entry to the United States, or any other immigration benefit by fraud or willful misrepresentation of a material fact.

10. From on or about December 7, 2013 to September 9, 2014, DRAGIC attempted to acquire naturalization as a U.S. citizen by fraudulently misrepresenting material facts. In his Form N-400 naturalization application, DRAGIC falsely omitted his membership and association in the RS Police and the PJP; denied persecuting (either directly or indirectly) any person because of race, national origin, membership in a particular social group, or political opinion;

denied committing a crime or offense for which he was not arrested; denied giving false or misleading information to any U.S. Government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal; denied lying to any U.S. Government official to gain entry or admission into the United States; and claimed he was lawfully admitted into the United States, when he had actually acquired his refugee status and subsequent permanent residence through fraud.

COUNT 1

Title 18 U.S.C. § 1546(a)

Possession and Use of a Fraudulently Obtained Alien Registration Receipt Card (Green Card)

The Grand Jury charges:

11. Paragraphs 1 through 9 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

12. On or about September 9, 2014, in the Northern District of Ohio, Eastern Division, Defendant, OLIVER DRAGIC, did knowingly possess and use an Alien Registration Receipt Card (commonly referred to as a Green Card), knowing it to have been procured by means of any material false claim or statement, and to have been otherwise procured by fraud and unlawfully obtained, to wit: OLIVER DRAGIC, applied for, received, possessed, and used his Alien Registration Receipt Card, knowing that he had fraudulently procured the Alien Registration Receipt Card by knowingly making false statements with respect to material facts in his United States Immigration and Naturalization Form G-325C (Supplemental Questionnaire for Refugee Applicants); United States Immigration and Naturalization Form I-590 (Registration for Classification as Refugee); United States Immigration and Naturalization Form G-646 (Sworn Statement of Refugee Applying for Admission into the United States); and United States

Immigration and Naturalization Form I-485 (Application for Permanent Residence), all in violation of Title 18, Section 1546(a), United States Code.

COUNT 2

Title 18 U.S.C. § 1425(a)

Attempt to Procure Naturalization Contrary to Law

The Grand Jury further charges:

13. Paragraphs 1 through 10 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

14. From on or about December 7, 2013, through on or about June 9, 2014, in the Northern District of Ohio, Eastern Division, Defendant, OLIVER DRAGIC, while a citizen of Bosnia, and an alien, did knowingly attempt to procure, contrary to law, his naturalization, to wit: DRAGIC, knowingly used his fraudulently obtained lawful permanent resident status to apply for and attempt to receive naturalization; and knowingly misrepresented material facts on his Application for Naturalization (Form N-400), all in violation of Title 18, Section 1425(a), United States Code.

COUNT 3

Title 18 U.S.C. § 1425(b)

Attempt to Procure Naturalization to which he was Not Entitled

The Grand Jury further charges:

15. Paragraphs 1 through 10 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

16. From on or about December 7, 2013, through on or about June 9, 2014, in the Northern District of Ohio, Eastern Division, Defendant, OLIVER DRAGIC, while a citizen of Bosnia, an alien, and a person not entitled to naturalization as a United States citizen, did knowingly apply for and attempt to procure and obtain naturalization and citizenship, for

himself, to which he was not entitled, to wit: DRAGIC, knowingly used his fraudulently obtained lawful permanent resident status to apply for and attempt to receive naturalization; knowingly misrepresented material facts on his Application for Naturalization (Form N-400); and knowingly applied for naturalization when DRAGIC then knew that he did not satisfy the requirements of naturalization, pursuant to Title 8, United States Code, Sections 1182 and 1427, in that DRAGIC (i) provided material false statements for the purpose of obtaining immigration benefits and (ii) assisted or otherwise participated in the Srebrenica massacre, an act of genocide, all in violation of Title 18, Section 1425(b), United States Code.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.